

107TH CONGRESS
1ST SESSION

H. R. 2704

To amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow States and localities to provide primary and preventive care to all individuals.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2001

Ms. JACKSON-LEE of Texas introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow States and localities to provide primary and preventive care to all individuals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress makes the following findings:

5 (1) The Personal Responsibility and Work Op-
6 portunity Reconciliation Act of 1996 states that
7 aliens may receive “assistance for health care items
8 and services that are necessary for the treatment of
9 an emergency medical condition”.

1 (2) The Attorney General of Texas, John
2 Cornyn, made a recent decision based on the Per-
3 sonal Responsibility and Work Opportunity Rec-
4 onciliation Act of 1996 that undocumented aliens
5 could not receive nonemergency medical care from
6 hospitals with public funds.

7 (3) In his decision, the Texas Attorney General
8 states that Federal law prohibits hospitals from pro-
9 viding nonemergency health care, which consists of
10 primary and preventive care, to undocumented aliens
11 with public money.

12 (4) If hospitals do not comply with the opinion
13 of the Texas Attorney General, they face the possi-
14 bility of losing Federal money or face criminal
15 charges for misuse of public funds.

16 (5) The opinion of the Texas Attorney General
17 is unfair to undocumented aliens and endangers the
18 public health of all residents.

19 (6) It is necessary to amend the Personal Re-
20 sponsibility and Work Opportunity Reconciliation
21 Act of 1996 to correct this injustice.

1 **SEC. 2. PERMITTING STATES AND LOCALITIES TO PROVIDE**
2 **PRIMARY AND PREVENTIVE CARE TO ALL IN-**
3 **DIVIDUALS.**

4 (a) IN GENERAL.—Section 411(b)(1) of the Personal
5 Responsibility and Work Opportunity Reconciliation Act
6 of 1996 (8 U.S.C. 1621(b)(1)) is amended by inserting
7 “or for primary and preventive care” after “Act”).

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) shall apply to primary and preventive care
10 furnished before, on, or after the date of the enactment
11 of this Act.

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